

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 14, 2004**

**DIVISION TWO**

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B169053 People v. Drake  
B17326 People v. Marble  
B171714 People v. Hudson  
B175485 People v. Gonzalez  
B174728 DCFS v. Regina H.

Argument waived, cause submitted.

B173777      People  
                  v.  
                  Shorty

Merits:

Argued by Sally P. Brajevich for appellant. Counsel for respondent waived oral argument. Cause submitted.

B172574      Sludikoff, et al.  
                  v.  
                  Amrollahifar

Merits:

Argued by Scott J. Nord for appellants and by Herbert Davis for respondent. Cause submitted.

DIVISION TWO (Continued)

B169825     People  
              v.  
              Estrada

Merits:  
Argued by Tita Nguyen, Deputy Attorney General for respondent and by Stephen Hogg for appellant. Cause submitted.

B172241     Daneshrad  
              v.  
              Century Supper Club, LP

Merits:  
Argued by Katie Lien for appellant and by Gerald P. Peters for respondent. Cause submitted.

B170164     Camilo Lopez, Inc.  
              v.  
              Sialic Contractors Corp., et al.

Merits:  
Argued by John A. Gladych for appellant and by Lynn E. Hall for respondents. Cause submitted.

B170463     Rodriguez, et al.  
              v.  
              Premier Medical Management System, Inc., et al.

Merits:  
Argued by Scott D. Bernstein for respondents; by Douglas D. Winter for appellant Premier Medical Management System, Inc. and by Jeffrey Moffat for appellant Francis G. D'Ambrosio. Cause submitted.

DIVISION TWO (Continued)

B170853     Hernandez, et al.  
              v.  
              Barcelo Hotels & Resorts, et al.

Merits:  
Argued by Alba Varela for appellants and by Christopher Gilman for respondents. Cause submitted.

B160298     Lee  
              v.  
              Ford

Merits:  
Argued by Richard E. Lee for respondent and by Felicia Ford for appellant. Cause submitted.

B162063     Kaplan  
B165532     v.  
              Goldrich, et al.

Merits:  
Argued by Joseph L. Golden for appellant; by Steven R. Friedman for respondents Goldrich, et al. and by Howard M. Fields for respondents Robbins, et al. Cause submitted.

Court recessed.

Court reconvened at 1:00 PM

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B172767 In re Cassandra B. (DCFS v. Shanna B.)  
B174722 In re Cassandra B. (DCFS v. Shanna B.)

Argument waived, cause submitted.

DIVISION TWO (Continued)

B171653     Tinkerian  
              v.  
              Medtech Center et al.

Merits:  
Argued by Armand Tinkerian for appellant and no appearance by  
respondents CRC 17a (2). Cause submitted.

B170393     Latourelle  
              v.  
              Latourelle

Merits:  
Argued by Denise Brogna for appellant and no appearance by respondent,  
CRC 17a (2). Cause submitted.

B167118     County of Los Angeles  
              v.  
              Gomez

Merits:  
Argued by Fesia Davenport for respondent and no appearance by appellant.  
Cause submitted.

B172690     PWS Inc. et al.  
              v.  
              Carlsmith Ball LLP et al.

Merits:  
Argued by Maynard Klein for appellants and by Brian Barrow and James  
Hepworth for respondents. Cause submitted.

DIVISION TWO (Continued)

B158794     Menjou  
              v.  
              Toyota Motor Sales et al.

Merits:  
Argued by Henry Josefsberg for appellant and by Fermin Llaguno for respondents. Cause submitted.

B171802     Crumb  
              v.  
              APC Technology Inc.

Merits:  
Argued by Ealise Crumb for appellant and by Robert Dato for respondent. Cause submitted.

B171038     Gary Hamilton Inc. et al.  
              v.  
              Janis et al.

Merits:  
Argued by Richard Towne for appellants and by Raymond Dion for respondents. Cause submitted.

B171398     Doe  
              v.  
              Independent Consultant Pharmacist Services et al.

Merits:  
Argued by Burton Selman for appellant and by Andrew Heglund and Marvin Bartel for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B169640     People  
              v.  
              Dominic Maurice Funtila

Filed order denying petition for rehearing.

B171143     Dana Plays  
              v.  
              Occidental College

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FIVE

B173338     People                                 (Not for Publication)  
              v.  
              James Richardo Neely

The judgment is affirmed.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                  Mosk, J.

B176481     People  
              v.  
              Dennis L. Fortin

Filed order denying petition for rehearing.

December 14, 2004 (Continued)

DIVISION FIVE (Continued)

B168000      Kenneth B. Goldshine  
v.  
John Lafferty and Janet Ehrlich

Filed order denying petition for rehearing. Justice Grignon would grant petition.

## DIVISION SEVEN

[illegible]

The judgment of the superior court is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.

B176457      Gov      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(People of the State of California, r.p.i.)

The petition for writ of mandate is denied. The order to show cause, having served its purpose, is discharged.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

DIVISION EIGHT

B172765      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Evelyn G.,  
In re Jason G., a Person Coming Under the Juvenile Court Law.

The order are affirmed.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.

B168195      Thomas Nihipali      (Not for Publication)  
v.  
County Of Los Angeles

For the reasons set forth above, the judgment is reversed. The matter is remanded to the superior court with directions to enter summary adjudication for the County as to only the section 1983 cause of action. Each party shall bear its own costs on appeal.

Rubin, J.

We concur: Cooper, P.J.  
Boland, J.